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BOARD MEETING MINUTES

The meeting of the Board of Directors of the Northwest Clean Air Agency was held at 1:30 p.m., Thursday, October 8, 2015, at 1600 South Second Street, Mount Vernon, Washington.

MEMBERS PRESENT:

Island County	Richard Hannold
Skagit County	Ron Wesen
Whatcom County	Brian Heinrich Carl Weimer

MEMBERS ABSENT:

Jim Campbell, Joe Lindquist, Terry Nyman

ALSO PRESENT:

NWCAA staff members	Mark Asmundson, Matt Holmquist, Agata McIntyre, Katie Skipper, and Laurie Caskey-Schreiber
Legal counsel	Simi Jain for Loch Clark

CALL TO ORDER

Board Chair Brian Heinrich called the meeting to order at 1:32 p.m.

APPROVAL OF PRIOR BOARD MEETING MINUTES

On motion by Carl Weimer, seconded by Ron Wesen, the minutes for the September 10, 2015, Board meeting were approved 4-0.

PUBLIC HEARING

Heinrich opened up the public hearing for resolution 521. No one from the public submitted any comments. Board members unanimously agreed to close the public hearing.

ACTION ITEMS

Resolution 520 – Order adopting proposed amendment to the NWCAA Rules – Mark Asmundson

Agency Executive Director Mark Asmundson informed the Board that a public hearing for this resolution was held on September 29, 2015, and that no one from the public submitted any comments. Asmundson credited NWCAA engineer, Lyn Tober, with doing a thorough job of updating this section of the agency regulations.

Agency engineering manager Agata McIntyre highlighted some of the changes involved with Resolution 520.

Change	Details & Benefits
<i>Consistency with state laws</i>	<ul style="list-style-type: none"> • Change the thresholds for both the first and second stages of impaired air quality (burn bans) to match those in state law. • Include the ability to call a second stage burn ban without having first called a stage one burn ban, as allowed by state law. • Clarify the rule language to state that both the state Department of Ecology and NWCAA have the authority to call first and second stages of impaired air quality burn bans within the NWCAA jurisdiction. • Creates consistency with state and federal rules and laws.
<i>Update language to make implementation consistent</i>	<ul style="list-style-type: none"> • Currently, NWCAA regulations state that enforcement of the opacity standards within the burn ban regulation is only on a complaint basis. Agency implementation of this has been cumbersome and inconsistent with other Washington agencies and potentially confusing. Proposing removal of this sentence.
<i>Correct a typographical error</i>	<ul style="list-style-type: none"> • NWCAA Section 309 was promulgated with a typographical error in the numbering of the subsections. Proposing a rule change to correct this error.

Weimer made a motion, seconded by Wesen, to approve Resolution 520. The Board approved the resolution 4-0.

Resolution 521 – Proposed New Source Review fee schedule change – Agata McIntyre

McIntyre explained that Resolution 521 modifies the fee schedule to now include the newly created general orders category for permitting gas stations and automotive spray booths. The agency is proposing lower fees for these general orders, and the proposed fee schedule addresses new source categories, and the costs involved with the permit process for these sources. The following detailed list of changes were discussed at the August Board meeting.

Change	Details & Benefits
<i>Adding a fee for general orders</i>	<ul style="list-style-type: none"> • General orders are expedited construction permits written by the agency for certain categories of sources for which NWCAA receives numerous applications each year. • These permit applications require less time to review, and can be processed for a lower fee, than our traditional construction permits. • NWCAA is proposing to add a fee of \$875 for general orders.
<i>Adding a fee for bulk commodities marine shipping terminals (shipping coal /or dry sulfur)</i>	<ul style="list-style-type: none"> • Currently, NWCAA has fees that are inadequate for evaluating permit applications for this type of facility. • The current schedule would allow NWCAA to charge \$437, but based on the estimated hours involved, this project would require a source-specific fee of \$9,900. NWCAA is proposing to add a \$9,900 source-specific fee for bulk commodities marine shipping terminals.
<i>Adding an environmental impact statement (EIS) coordination fee</i>	<ul style="list-style-type: none"> • The current fee schedule includes specific fees for three types of State Environmental Policy Act (SEPA) determinations, when NWCAA is the SEPA lead agency and is making the determination without an EIS. • However, should a project require an EIS, NWCAA would expect a significantly larger amount of work. • This fee adds a SEPA/EIS coordination fee of \$10,400 to the new source review fee schedule to cover the costs of additional work.
<i>Removing the Prevention of Significant Deterioration (PSD) inapplicability determination fee</i>	<ul style="list-style-type: none"> • The current fee of \$4,521 was originally conceived to provide support when a PSD inapplicability determination was requested by Ecology during a NWCAA permitting action. • This fee has not been used for years; on the rare occasion that a PSD inapplicability determination was requested of Ecology, it did not require any support by NWCAA. • This fee is no longer necessary, and NWCAA is proposing to delete it from the fee schedule.
<i>Clarify applicability of additional fee for landfill or digester gas combustion</i>	<ul style="list-style-type: none"> • The current fee schedule includes a fee for review of applications that propose landfill or digester gas combustion. • This fee pertains to facilities that obtain a traditional construction permit, and not a general order. • NWCAA is proposing to clarify this intent.

Richard Hannold made a motion, seconded by Wesen, to approve Resolution 521. The Board approved the resolution 4-0.

Resolution 523 – Amending Resolution 522 – Mark Asmundson

Asmundson stated that Resolution 523 is a housekeeping measure, which moves the funds from the Operating Fund back into the Supplemental Environmental Projects Fund.

Weimer made a motion, seconded by Hannold, to approve Resolution 523. The Board approved the resolution 4-0.

Bills and claims

Wesen made a motion, seconded by Weimer, to approve the September 2015 bills and claims, totaling \$376,361.24. The bills and claims for September were approved 4-0.

STAFF REPORTS

Director's report – Mark Asmundson

Asmundson reported to the Board on the following matters:

- The U.S. Environmental Protection Agency (EPA) announced a new standard for ozone. The new standard is 70 parts per billion (ppb), previously it was set at 75 ppb. Some feel this number is too high to adequately protect public health, while others feel it will be burdensome for industries. Asmundson supports the decision that was made.
- The EPA also announced a new limit for how much sulfur dioxide (SO₂) will be allowed in the air. This new ambient air standard poses some problems, for some of the areas, in our jurisdiction. Currently NWCAA is working with Ecology to identify those areas of non-attainment. At some point in the future we will have Air Quality Manager, Nick Roach, from Ecology come and discuss the findings with the Board.

New source review and air operating permit update – Agata McIntyre

Agency Engineering Manager Agata McIntyre reported that during September the agency received seven applications for construction permits and issued four construction permits.

McIntyre explained that one of the construction permit applications that NWCAA received is for constructing a new hydro-treater at the Phillips 66 refinery. This new unit would allow the refinery to meet the new 2017 fuel standards for permissible sulfur emissions in fuel.

Enforcement update – Matt Holmquist

Agency Air Quality Inspector Matt Holmquist, filling in for Compliance Manager Toby Mahar, reported on enforcement issues that occurred in September.

NWCAA issued three notice of violations, including one to American Canadian Fisheries for failing to correctly operate their wastewater treatment system. Holmquist reported that twenty-five percent of the complaints that the Agency received in September, were related to this business.

The agency issued one penalty, during the month of September, and that was issued to the SeaBear Company for excess opacity emissions. SeaBear sells smoked seafood products and their emission control equipment, the smog hog, was out of service for a period of time.

ADJOURNMENT

There being no further business to consider, the meeting adjourned at 2:13 p.m.

CERTIFICATION

I hereby certify this is a true and correct copy of the minutes of the meeting of the NWCAA Board of Directors held on October 8, 2015, in Mount Vernon, Washington.

ATTEST:



Terry Nyman, Secretary
NWCAA Board of Directors



Brian Heinrich, Chair
NWCAA Board of Directors

DATED: November 12, 2015